

ton County, Thirty-ninth Judicial District, all causes, motions and other matters to the docket of the district court in said county, Ninety-second Judicial District of Texas perpetuating the Ninety-second Judicial District of Texas as created by Chapter Seventy-six (76) of the General Laws of the Thirty-eighth Legislature passed at its Regular Session and providing for the continuation in office of the judge of said district and prescribing the duties of other officers of said Ninety-second Judicial District in Throckmorton County; repealing all laws in conflict herewith, and declaring an emergency."

The committee report, with amendments, and that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 316 put on its third reading and final passage, by the following vote:

Yeas—30.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Parnell.

S. B. No. 316 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Miller.
Berkeley.	Moore of Hunt.
Bledsoe.	Moore of Cooke.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Hardin of Erath.	Reid.
Hardin of Kaufman	Russek.
Holbrook.	Smith.
Lewis.	Triplett.

Ward.
Wirtz.
Witt.

Wood.
Woodward.

Nays—2.

Murphy.

Strong.

Absent.

Parnell.

Stuart.

Adjournment.

On motion of Senator Strong the Senate at 5:30 o'clock p. m. adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room.

Austin, Texas, March 4, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 572, A bill to be entitled "An Act to amend Section 1, Chapter 108 of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Wharton County, by adding thereto Section 1a to permit the issuance of bonds by Wharton County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 4, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 189 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

THIRTY-NINTH DAY.

Senate Chamber,

Austin, Texas.

Thursday, March 5, 1925.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Bailey.

Prayer by Senator Reid.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Excused.

Senator Bailey was excused for today and tomorrow on motion of Senator Strong on account of important business.

Senate Bill No. 393—Special Order.

Senator Davis moved that S. B. No. 393 be made a special order for tomorrow morning following the completion of the morning call.

The motion was adopted.

Senate Bill No. 63.

Senator Floyd moved that S. B. No. 63 be made a special order for tomorrow morning following the consideration of S. B. No. 393.

The motion was adopted.

Bills and Resolutions.

By Senators Russek and Ward:

S. B. No. 429, A bill to be entitled "An Act to amend Article 4814 of the Revised Civil Statutes of 1911, as amended by Chapter 77 of the General Laws of the Regular Session of the Thirty-seventh Legislature, providing that all policies issued by any mutual life insurance company may use any portion of the mortality savings, not to exceed fifty per centum, as a sinking fund for the repayment of any sums of money advanced for the purpose of promoting and conserving the business of the company, and

further providing that the profits from reserves released on lapsed and surrendered policies may be permitted to be used for the purpose of sinking fund, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Lewis:

S. B. No. 430, A bill to be entitled "An Act to amend Section 19, of Chapter 5, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto County, Texas, by adding thereto Section 19a to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1925, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Ward:

S. B. No. 431, A bill to be entitled "An Act to provide for the payment into court of a fund which is a matter of controversy between several parties, and giving such court exclusive jurisdiction over such fund, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Murphy:

S. B. No. 432, A bill to be entitled "An Act creating and establishing West University Place Independent School District, in Harris County, Texas, defining and describing it by metes and bounds, providing for the government thereof, providing for the election of trustees therefor, providing for the government thereof as under the General Laws in all matters not otherwise specially provided herein, providing for the extension of boundaries thereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Bledsoe:

S. B. No. 433, A bill to be entitled "An Act validating Common School District No. 5 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Holbrook:

S. B. No. 434, A bill to be entitled "An Act to aid in protection of the property and lives of citizens in a part of Brazoria County from further disastrous and calamitous overflows and conserving and increasing the harbor facilities at the mouth of the Brazos River in Brazoria County, Texas, and to prevent the repeated shoaling of the waters on the bar of the harbor at the mouth of said river caused by deposit of silt from the flooding waters of the Brazos River in the channel of said river and in the Gulf of Mexico, and for the purpose of assisting in the preventing of future overflowing of said river, by granting and donating the said portion of Brazoria County for a term of twenty-five years or so much thereof as may be necessary, a portion of the State ad valorem tax levied and collected on property subject to taxation, in such portion of Brazoria County, to be used in making part payment of the interest and sinking fund of bonds to be used by said county, to provide for the construction of the necessary breakwaters, levees, dykes, floodways and diversions, and providing for the diversion of the channel of said Brazos River near its mouth, and providing for the administration of this Act."

Read first time and referred to Committee on State Affairs.

By Senators Fairchild and Moore of Hunt:

S. B. No. 435, A bill to be entitled "An Act prescribing the duties of the Board of Control and its auditing division in reference to accounting and auditing; providing for an auditing department or division of such board with necessary employees and facilities; providing for accounting and auditing of State departments, boards, commissions, and institutions and penitentiary; making

an appropriation carrying out the provisions of this Act; amending Chapter 167, General Laws, Regular Session of the Thirty-sixth Legislature, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Wood, by request:

S. B. No. 436, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County Special Road, Law by adding thereto Section 2a, to permit the issuance of bonds by San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Smith:

S. B. No. 437, A bill to be entitled "An Act to create Westbrook Independent School District in Mitchell County, Texas, including therein the present Westbrook Independent School District of the said county; providing a board of trustees therefor; vesting said school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all contracts for the maintenance of the schools of the territory herein incorporated for the current scholastic year; providing for an election to determine as to the outstanding bonded indebtedness of the territory herein incorporated, as herein set out; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

Conference Committee Report on House Bill No. 382.

Committee Room,

Austin, Texas, March 3, 1925.

Hon. Barry Miller, President of the Senate, and Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sirs: We, your Conference Committee on House Bill No. 382, have had the same under consideration and have adjusted the difference between the House and the Senate, and recommend the adoption of the House bill with the following amendments:

CONFEDERATE WOMAN'S HOME

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand total	\$ 50,820.00	\$ 46,220.00 (No change)

STATE CONFEDERATE HOME

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "Fireman (2)" to be changed so that it will be.....	\$ 1,440.00	\$ 1,440.00
The item of "Janitors (4)" to be changed so that it will read "Janitors (6)".....	3,600.00	3,600.00
Add the following: Between lines 10 and 11, p. 4, the words and figures "Assistant Storekeeper".....	600.00	600.00
Printed bill totals.....	161,450.00	157,450.00
Added by House amendments.....	13,000.00	13,000.00
Added by Free Conference Committee.....	2,240.00	2,240.00
Grand total	\$176,690.00	\$172,690.00

STATE COLONY FOR FEEBLE MINDED

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand total	\$238,140.00	\$290,760.00 (No change)

DEAF, DUMB AND BLIND INSTITUTE FOR COLORED YOUTHS

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand total	\$ 86,630.00	\$ 80,330.00 (No change)

EAST TEXAS HOSPITAL FOR THE INSANE

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "Farm hands, (4)" to be changed so that it will read.....	\$ 2,400.00	\$ 2,400.00
Add the following: Between lines 27 and 28, p. 11, the words and figures "One trained nurse, superintendent".....	1,200.00	1,200.00
Printed bill totals.....	319,630.00	252,130.00
Added by Free Conference Committee.....	1,680.00	1,680.00
Grand total	\$321,310.00	\$253,810.00

STATE EPILEPTIC COLONY

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "One new cottage" changed so that it will read "Two new cottages, one each year"	\$ 50,000.00	\$ 50,000.00

	For the Years Ending	
	August 31, 1926	August 31, 1927
Add the following: After line 40, p. 14, the words and figures "Fire escapes (2)"-----	1,225.00	
Printed bill totals-----	230,810.00	253,110.00
Added by Free Conference Committee-----	51,225.00	
Grand totals -----	\$282,035.00	\$253,110.00

GIRLS' TRAINING SCHOOL

	For the Years Ending	
	August 31, 1926	August 31, 1927
Add the following: After line 21, p. 16, the words and figures "Fuel"-----	\$ 4,000.00	\$ 4,000.00
Printed bill totals-----	77,510.00	62,010.00
Added by Free Conference Committee-----	4,000.00	4,000.00
Grand total -----	\$ 81,510.00	\$ 66,010.00

HOME FOR DEPENDENT AND NEGLECTED CHILDREN

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand total -----	\$121,900.00	\$ 86,900.00
	(No change)	

NORTH TEXAS HOSPITAL FOR THE INSANE

	For the Years Ending	
	August 31, 1926	August 31, 1927
Add the following: After the word dentist, line 30, p. 18, the words "Full time" and figures to be changed so that it will read-----	\$ 1,600.00	\$ 1,600.00
Add the following: After line 39, page 19, the words and figures: Pathologist-----	1,200.00	1,200.00
Roentgenologist -----	1,200.00	1,200.00
Head Nurse -----	1,200.00	1,200.00
Add the following: After line 17, page 20, the words and figures: Furnishings and equipment for new hospital-----	8,000.00	
Printed bill totals-----	411,470.00	411,470.00
Added by Free Conference Committee-----	12,200.00	4,200.00
Grand total -----	\$423,670.00	\$415,670.00

NORTHWEST TEXAS HOSPITAL FOR THE INSANE

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "To erect and equip two buildings to accommodate 400 patients," lines 29 and 30, page 22, the figures to be changed so that it will read-----	\$250,000.00	
Eliminate between lines 33 and 34, p. 22, the following (House amendment): "Additional appropriation for the Northwest Texas Hospital for the insane for the last quarter of the fiscal year ending August 31, 1927, and to be used and expended only in the event the build-		

	For the Years Ending	
	August 31, 1926	August 31, 1927
ing provided for in this Act shall be completed and occupied during the fiscal year ending August 31, 1927." Support and maintenance		\$ 21,300.00
Dry goods and clothing		3,300.00
Assistant physician		600.00
Attendants		3,800.00
Night nurses		1,200.00
Cooks		600.00
Dietitian		400.00
Total		\$ 31,200.00
Add the following:		
Added by House amendments		31,200.00
Added by Free Conference Committee	250,000.00	94,220.00
Between lines 33 and 34, p. 22, "Additional appropriation for the Northwest Texas Hospital for the Insane for the fiscal year ending August 31, 1927, and to be used and expended only in the event the buildings provided for in this Act shall be completed and occupied during the fiscal year ending August 31, 1927." Support and maintenance		64,000.00
Dry goods and clothing		10,000.00
Assistant physician		1,800.00
Attendants		11,520.00
Night nurses		3,600.00
Cooks		1,800.00
Dietitian		1,500.00
Total		\$ 94,220.00
Printed bill totals	194,320.00	417,920.00
Deducted by Free Conference Committee		281,200.00
Grand total	\$444,320.00	\$262,140.00
Net Increase for both years		\$ 94,220.00

SOUTHWESTERN INSANE ASYLUM

	For the Years Ending	
	August 31, 1926	August 31, 1927
Add the following: After the words "Dentist and teacher," line 27, p. 23, the words "Full time," and figures to be changed so that it will read	\$ 1,600.00	\$ 1,600.00
The item of "dietitian" line 28, p. 23, changed so that it will read	1,500.00	1,500.00
The item of "nightwatches, 28," line 11, p. 24, changed so that it will read "nightwatches, 30," and the figures to be changed so that it will read	14,400.00	14,400.00
Printed bill totals	478,240.00	451,240.00
Added by Free Conference Committee	11,300.00	1,300.00
Grand total	\$479,540.00	\$452,540.00

STATE JUVENILE TRAINING SCHOOL

	For the Years Ending	
	August 31, 1926	August 31, 1927
Printed bill totals.....	\$183,280.00	\$247,280.00
Added by House amendments.....	2,500.00	2,500.00
Added by Free Conference Committee.....		
Grand total	\$185,780.00	\$249,780.00

STATE LUNATIC ASYLUM

	For the Years Ending	
	August 31, 1926	August 31, 1927
"The item of "Attendance, eighty-five," line 36, p. 27, changed so that it will read, "Attendance ninety," and the figures to be changed so that it will read.....	\$ 43,800.00	\$ 43,800.00
Add the following: After the word "Dentist," line 24, p. 28, the words "Full time," and figures to be changed so that it will read.....	1,600.00	1,600.00
The item of "Dietitian," line 25, p. 28, changed so that it will read.....	1,500.00	1,500.00
The item of "Gardener," line 34, p. 28, changed so that it will read.....	900.00	900.00
Add the following: After line 29, p. 29, the words and figures "Pathologist".....	1,200.00	1,200.00
Add the following: After line 15, p. 30, the words and figures "Ten fire escapes".....	6,165.00	
Add the following: After line 15, p. 30, the words and figures "Repairing floors".....	20,000.00	
Printed bill totals.....	531,530.00	401,530.00
Added by Free Conference Committee.....	31,145.00	4,980.00
Grand total	\$562,675.00	\$406,510.00

PASTEUR INSTITUTE

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand total	\$ 7,200.00	\$ 7,200.00 (No change)

STATE LUNATIC ASYLUM ANNEX

	For the Years Ending	
	August 31, 1926	August 31, 1927
Eliminate all appropriations for the fiscal year August 31, 1927.....		\$164,580.00
Eliminate item for fencing in the first year.....	\$ 1,500.00	
Add the following: The Board of Control is directed to discontinue the State Lunatic Asylum Annex as an institution for any kind of insane patients on or before August 1, 1926, and it shall be unlawful for the Board of Control to use the property in Austin, Texas, formerly known as the Old Blind Institute property, herein designated as the State Lunatic Asylum Annex to house or care for any kind of insane persons whatsoever on and after the first day		

	For the Years Ending	
	August 31, 1926	August 31, 1927
of August, 1926. The Board of Control is hereby directed to remove all insane patients, which it may hereafter place in such institution, on or before August 1, 1926.		
Printed bill totals	165,580.00	164,580.00
Deducted by Free Conference Committee.....	1,500.00	164,580.00
Grand total	\$164,080.00	

STATE ORPHAN'S HOME

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "Stewardess and dietitian" line 38, page 34, the figures to be changed so that it will read		
	\$ 1,500.00	\$ 1,500.00
Printed bill totals	236,760.00	205,030.00
Added by Free Conference Committee.....	600.00	600.00
Grand total	\$237,360.00 \$205,630.00	

STATE TUBERCULOSIS SANATORIUM

	For the Years Ending	
	August 31, 1926	August 31, 1927
The item of "One dormitory equipped for seventy-five patients each," lines 4 and 5, page 38 —eliminate the word "Each" after the word patients, line 5.		
Printed bill totals	\$313,240.00	\$353,240.00
	(No change)	

STATE HOSPITAL FOR CRIPPLED AND DEFORMED CHILDREN

	For the Years Ending	
	1926	1927
	August 31,	August 31,
Grand total	\$ 14,400.00	\$ 14,400.00
	(No change)	

	For the Years Ending	
	August 31, 1926	August 31, 1927
Grand totals for all departments.....	\$4,191,300.00	\$3,616,940.00
Total, both years.....	\$7,808,240.00	

All salaries shall be paid in twelve equal montly installments except as otherwise hereing provided; and all employes may receive board except when otherwise stated.

No property belonging to any of the above institutions shall be sold or disposed of without the consent of the Board of Control; and all proceeds from the sale of any such property, from labor performed, and from the sale of crops, shall become a special support and maintenance

fund to be expended under the direction and approval of the State Board of Control, and a complete statement of all such transactions shall be made in the annual report of said institution.

The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes named herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual

expenditures, will exceed the amount herein appropriated for either of said purposes.

If any work be not done or the place not filled by the appointment of a person, for whom a salary is herein fixed, then such salary shall lapse and be returned to or left in the State Treasury; provided, that no person for whom any salary is herein fixed shall be allowed to draw more than the amount of such salary from any other salary or amount herein fixed, or from any fees authorized to be charged, or from any State fund or funds under the control of the governing authority of such particular institution; and provided that if any amount herein fixed for any particular purpose be not used for such purpose in whole or in part, the unused portion of such fixed amount shall be returned to or left in the State Treasury; provided further that this language shall not be construed to prevent promotions, or the transfer of one employe from the position for which employed, having affixed thereto one salary, to another position having affixed thereto a different salary.

When, under this bill, the family of any superintendent, officer or employe of any of said institutions, are permitted to live at said institution, and furnished with board, fuel, lights, laundry, water, housing, or furnished any of said things, the word "family" shall be construed to mean the immediate family of said or employe is to be furnished with including himself, wife, and minor children only, and when any officer, superintendent, officer or employe with provisions not to exceed some certain amount stated, it shall be the duty of the storekeeper and accountant to charge said superintendent, officer or employee with each item of provisions as furnished him, showing the price or value thereof, and said storekeeper shall not permit the amount authorized to be exceeded, and shall make a monthly report of same to the Board of Control and said Board of Control shall be charged with the duty of seeing that no account for such provisions exceeds the amount allowed therefor.

And it is further provided that the heads of all said institutions hereinbefore mentioned shall keep a record of the absences of the various employes and the reason therefor, whether from sickness, vacations, or

leave of absence, and that the record of such absences be incorporated in the report made annually by the head of said institution.

Provided, that all new buildings authorized by this Act costing more than \$10,000.00, and for which appropriations are hereby made, except as other provided, shall be for fire-proof construction.

The amounts appropriated in this Act are intended to cover the entire costs of the respective items, and it is especially provided hereby, that all contracts and undertakings entered into, under and by virtue of the terms hereof for improvements, enlargements and repairs on buildings and grounds, and for the construction of new buildings and for furnishings and equipment of buildings, shall be made strictly within the limits and terms of the appropriations made for such purposes, and it shall be the duty of the Board of Control of the various institutions in the consideration and adoption of plans, specifications and contracts therefor, not to exceed such appropriations nor to incur any obligations in excess thereof.

Sec. 2. The fact that the foregoing is one of the regular appropriation bills for the support of the State eleemosynary institutions for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, creates a necessity for the expediting of the passage of this appropriation bill, therefore creates an emergency and an imperative public necessity which demands that the rule requiring bills to be read on three several days be suspended, and that this bill become effective from and after its passage, and it is so enacted.

Respectfully submitted,
BLOUNT,
PARISH,
WADE,
WALLACE,

On the part of the House.

DAVIS,
STRONG,
REID,
PARNELL,
WOOD,

On the part of the Senate.

The above report was adopted, by the following vote:

Yeas—25.

Berkeley.
Bledsoe.
Bowers.

Davis.
Fairchild.
Floyd.

Hardin of Kaufman	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Hunt.	Stuart.
Murphy.	Triplett.
Parnell.	Ward.
Parr.	Wirtz.
Pollard.	Wood.
Real.	Woodward.
Reid.	

Absent.

Hardin of Erath.	Price.
Miller.	Witt.
Moore of Cooke.	

Absent—Excused.

Bailey.

Motion to Rescind—Lost.

Senator Floyd moved to rescind the vote by which S. B. No. 393 was made a special order.

The motion was lost.

Simple Resolution No. 51.

By Senator Davis:

Whereas, during the recent delightful trip to the Magic Valley of the Rio Grande the Dallas Morning News with commendable consideration sent copies of the News daily to the train so that the members might have tidings from home and information generally; therefore be it

Resolved, that the Senate thank the News for its thoughtfulness in complimenting the special train with papers each day during the trip.

The resolution was read and adopted.

House Bill No. 27.

The Chair laid before the Senate, on third reading,

H. B. No. 27, A bill to be entitled "An Act amending Chapter 127 of the General Laws of the Regular Session of the Thirty-sixth Legislature, relative to highway traffic officers, so as to require the wearing of uniforms by such officers and providing for the payment of salaries of such officers, and that no fees shall be charged for any service of such officer, and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 86.

The Chair laid before the Senate, on third reading,

H. B. No. 86, A bill to be entitled "An Act creating the Sayers Inde-

pendent School District; providing a board of trustees for its government; granting, supervising exemptions for it; investing it with power to make oil leases; applying General Laws to it; retaining its liabilities, assets and tax rate, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—26.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Absent.

Miller.	Smith.
Price.	Wirtz.

Absent—Excused.

Bailey.

House Bill No. 477.

The Chair laid before the Senate, on second reading and special order,

H. B. No. 477, A bill to be entitled "An Act to empower cities having more than one hundred and sixty thousand (160,000) inhabitants to purchase or otherwise acquire water systems and enlargements thereto, and additional water powers, riparian rights, and repairs of such system, to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale or foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers and limiting the manner of their exercise, providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor to make sale on default in payment; prescribing the method of foreclosure, and giving such cities the option to include or exclude any of such property from such encumbrance; prohibiting the sale of such systems unless authorized by majority vote

of the qualified property taxpayers, or under the terms of such encumbrances; and prohibiting the encumbrance of such systems except for purchase money, original cost, or to refund existing indebtedness, unless authorized in like manner; approving all proceedings heretofore had in the acquisition of any such systems, and the encumbrance of same within the authority given by this Act, and declaring an emergency."

The bill was read second time, and Senator Parnell offered the following amendment:

Amend by adding to the second paragraph of Section 1, the following:

Provided, however, that any bonds or securities issued against the said waterworks system or extensions, shall be advertised and sold the same way as provided for the sale of bonds voted by a municipality.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 470, A bill to be entitled "An Act to create the Reagan County Independent School District in Reagan County, Texas, providing a board of trustees therefor; vesting said independent school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts organized under the General Laws of Texas; providing for a board of trustees for the said district to serve until the time for the next election of school trustees in independent school districts as provided by General Laws; authorizing the said Reagan County Independent School District to hold an election to determine whether or not the said district shall assume and make provision for the payment of the outstanding indebtedness of the territory incorporated herein; validating and continuing in force current contracts and tax levies of districts included in the Reagan County Independent District for the present scholastic year, and declaring an emergency."

H. B. No. 493, A bill to be entitled "An Act to create the Tell Independent School District in Childress, Hall and Cottle Counties, Texas, in-

cluding therein the present Common and County Line School District No. 9 of Hall, Childress and Cottle Counties and the Tell Independent District of Hall and Childress Counties; providing a board of trustees therefor, vesting said Tell Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all current contracts of the said Common County Line School District No. 9, and the present Tell Independent District as created by this Act; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, etc."

H. B. No. 501, A bill to be entitled "An Act to establish a more efficient system of public roads for Orange County, and to empower the commissioners' court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; and to provide for the appointment of a county engineer; to allow the issuance of bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

H. B. No. 534, A bill to be entitled "An Act creating the Harral County Line School District in Lubbock County and Hale County, Texas, out of territory now comprising Harral County Line Common School District No. 30, in Lubbock County and Hale County, Texas, and established and defined by order of the county boards of trustees of Lubbock and Hale Counties, Texas, and recorded in Vol. 1, of the record of school districts in the office of the county clerk of Lubbock County, at page 1, et seq, except the following lands, which are by Act of the Thirty-fifth Legislature, Fourth Called Session, House Bill No. 175, Chapter 27, Section 1, transferred to Hardy Commission School District No. 26, viz.: Surveys 22, 23, 24, 25, 26 and 27, and about 2001 acres out of Survey 22, 23, 24, 25, 26 and 27, and about 200 acres out of Survey 132, and in Block P, defining the boundaries; providing for a board of trustees and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing

that said board of trustees shall exercise the power and authority of the board of equalization for said district; providing that all outstanding bonds, obligations and indebtedness of said Harral County Line Common School District No. 30 shall be assumed by and shall become binding obligations upon Harral County Line Independent School District; providing for the validation of all such bonds, obligations and indebtedness; continuing in force all taxes heretofore voted and now in force in said Harral County Line Common School District No. 30; providing that title to all public free school property within said territory shall be divested out of Harral County Line Common School District No. 30 and vested in Harral County Line Independent School District as hereby created; providing for the election and term of office of trustees of said Harral County Line Independent School District; providing for the filling of vacancies on said board of trustees; providing for seal for said district; providing that said board of trustees shall be governed by the General Laws in all matters where this Act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provisions or section herein shall not invalidate the remaining sections and provisions, and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act to amend Sections 1 and 3 of the Act passed by the Thirty-eighth Legislature of Texas, the same being Chapter 74 of the Acts of the Regular Session of the Thirty-eighth Legislature by taking Fayette County out of the First Supreme Judicial District of Texas and placing it in the Third Supreme Judicial District of Texas, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 250, A bill to be entitled "An Act creating and establishing Alvin Independent School District, in Brazoria County, Texas, defining and describing it by metes and bounds, providing for the government thereof, providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included, vesting in it the title to all school property situated in the territory so included, ratifying and continuing in force the school taxes heretofore voted in said territory; validating local school taxes heretofore levied and assessed

against the property situated therein; providing for the extension of boundaries, and declaring an emergency."

S. B. No. 266, A bill to be entitled "An Act to amend Section 2, of Chapter 91, of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the organization and time of holding district courts in the Forty-ninth Judicial District of Texas, and to amend Section 2 of Chapter 55 of the Acts of the Regular Session of the Thirty-eighth Legislature, relating to the organization and time of holding district courts in the Seventy-ninth Judicial District of Texas so as to take Jim Hogg County, Texas, out of said Seventy-ninth Judicial District; for the rearranging of the time and terms for holding district courts in the various counties composing said Forty-ninth Judicial District and said Seventy-ninth Judicial District; and providing that all process, recognizances, writs and bonds issued, served, executed or entered into, for the district courts in the various counties in said Forty-ninth Judicial District and said Seventy-ninth Judicial District, before this Act goes into effect, shall be returnable to the respective terms of the courts hereby fixed, and providing that all grand and petit jurors selected in any of said counties before this Act goes into effect, shall be legal jurors for the respective terms of the courts fixed by this Act, and providing that this Act shall take effect from and after August the 15th, 1925, and repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 310, A bill to be entitled "An Act to amend Section 10 of Chapter 68 of the General Laws passed by the Thirty-eighth Legislature at the Regular Session, page 131, so as to abolish the office of district attorney for the counties of Travis and Williamson; to create the office of district attorney of the Fifty-third Judicial District, and providing for the duties of the county attorney of Williamson County, and fix the compensation of such district and county attorneys.

With amendment.

S. B. No. 352, A bill to be entitled "An Act for the protection of fish in, and for the regulation of the catching and taking fish in, and for the prohibiting of the sale, barter and purchase of fish taken in the

waters which are located in the valley of the Big Wichita River from where the lower or diversion dam on the Big Wichita River is located, which was built by the Wichita County Water Improvement District No. 1, in the northeast corner of Archer County, Texas, and from said dam and above the same up the valley of the said Big Wichita River to the storage dam on the said river built by said Wichita County Water Improvement District No. 1 in Taylor County, Texas, and up the valley of said river from said storage dam as far as the waters by said storage dam are impounded in said river in Baylor County, Texas, or in any waters which are impounded in Archer County, Texas, and in Taylor County, Texas, by said diversion dam, or in any water which is impounded in Baylor County, Texas, by said storage dam, or in any water in Lake Wichita in Wichita County, Texas, and in Archer County, Texas, or in any water impounded by the dam across Holliday Creek forming said Lake Wichita in Wichita County, Texas, or in any water in the Big Wichita River in Baylor County, Texas, connecting the big reservoir, or Lake Kemp, created by said storage dam, with the diversion reservoir, or Diversion Lake, formed in Baylor and Archer Counties, Texas, by said diversion dam, or in any waters of the irrigation canals connected with said Lake Kemp or said diversion dam, or in any water in laterals leading off from said canals in Baylor County, Texas, Archer County, Texas, Wichita County, Texas, or Wilbarger County, Texas, or in any water in Wichita County, Texas, or in Archer County, Texas, in the lateral, canal or drainage ditch leading from what is known as the South Canal out of said Diversion Lake from a point in said South Side Canal in Section 116, of Denton County School Lands, League No. 4, Wichita County, Texas, to Holliday Creek and thence down Holliday Creek to Lake Wichita in Wichita and Archer Counties, Texas; and fixing penalties for the violation of this Act; and providing that the Game, Fish and Oyster Commissioner shall appoint not less than three deputies to be stationed on the waters described in this Act to enforce the provisions of this Act; and making it the duty of the district judges in the judicial districts in which the

counties of Archer, Baylor, Wilbarger and Wichita are situated, to give a special charge upon this law to the grand juries of those counties; and providing that this Act shall be cumulative of the General Laws of the State of Texas; and providing that the holding unconstitutional or invalid of any provision of this Act by any court shall in no way affect the constitutionality and validity of the remainder of the Act, and declaring an emergency, and suspending the constitutional rule requiring a bill to be read on three several days in each House."

S. C. R. No. 31, waiving the matter of previous residence in the case of Mr. Alexander Pritchett and admit him to the State Confederate Home.

S. C. R. No. 32, relating to unsold portion of the Revised Statutes of 1911.

The House has reconsidered the vote by which the Senate amendments were concurred in to H. B. No. 249, and refuses to concur in Senate amendments and requests the appointment of a Free Conference Committee to adjust the difference between the two Houses. The Speaker announces the appointment of the following committee on the part of the House:

Wallace, Dunn of Hopkins, Rogers, Boggs, Florence.

The House has concurred in Senate amendments to H. B. No. 413.

The House has reconsidered the vote by which the Senate amendments were concurred in to H. B. No. 218, and refuses to concur in Senate amendments and requests the appointment of a Free Conference Committee to adjust the difference between the two Houses. The following are appointed on the part of the House:

Stevenson, Downs, Westbrook, Loftin, Finlay.

The House has adopted the report of the Free Conference Committee on H. B. No. 382.

H. C. R. No. 29, erasing the names of the Speaker of the House and President of the Senate from H. B. No. 249.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

H. C. R. No. 29.

The Chair laid before the Senate H. C. R. No. 29, erasing the names of the Speaker of the House and President of the Senate from H. B. No. 249.

The resolution was adopted.

House Bill No. 249.

Senator Murphy called up H. B. No. 249, and moved that the Senate grant the request of the House for the appointment of a Free Conference Committee.

The motion was adopted.

The Chair appointed the following as the committee on part of the Senate:

Senators Berkeley, Murphy, Stuart, Strong and Witt.

House Bill No. 218.

Senator Parr called up H. B. No. 218, and moved that the Senate grant the request of the House for the appointment of a Free Conference Committee.

The motion was adopted.

The Chair appointed the following as the committee on part of the Senate:

Senators Parr, Bowers, Fairchild, Strong and Stuart.

Excused.

On motion of Senator Wood, Senator Moore of Hunt was excused for a part of today.

House Bill No. 477.

Action recurred on the pending business, H. B. No. 477, the question being on the pending amendment by Senator Parnell.

Senator Real, after discussion, moved to table the amendment, which motion to table was adopted.

Senator Parnell offered the following amendment:

By inserting after the word "uniform," in Section 2 the following:

And no rate shall ever be charged greater than that which is necessary to meet the actual operating expense, and the interest and sinking fund, and extensions, maintenance and depreciation of said waterworks system.

On motion of Senator Real the amendment was tabled.

Senator Parnell offered the following amendment:

By striking out all after the word "City," at the bottom of Section 2.

On motion of Senator Real the amendment was tabled.

Senator Parnell offered the following amendment:

No city issuing notes or mortgage bonds secured by the revenues from such waterworks plant shall ever have the right to vote refunding bonds and

levy a tax in payment therefor for the purpose of refunding such notes or mortgage bonds into direct city ad valorem tax obligations.

On motion of Senator Real the amendment was tabled.

Senator Parnell offered the following amendment:

By changing the word "five per cent" wherever it appears in Section 4 to "two per cent."

On motion of Senator Real the amendment was tabled.

The bill was passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 477 put on its third reading and final passage, by the following vote:

Yeas—26.

Berkeley.	Pollard.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Present—Not Voting.

Hardin of Kaufman

Absent.

Price.

Absent—Excused.

Bailey.	Moore of Hunt.
Miller.	

H. B. No. 477 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—28.

Berkeley.	Moore of Cooke.
Bledsoe.	Murphy.
Bowers.	Parnell.
Davis.	Parr.
Fairchild.	Pollard.
Floyd.	Real.
Hardin of Erath.	Reid.
Hardin of Kaufman	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Miller.	Stuart.

Triplett.
Ward.
Wirtz.

Witt.
Wood.
Woodward.

Absent.

Price.

Absent—Excused.

Bailey.

Moore of Hunt.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally, first time, and referred to appropriate committees:

H. B. No. 470, referred to Committee on Educational Affairs.

H. B. No. 493, referred to Committee on Educational Affairs.

H. B. No. 501, referred to Committee on Highways and Motor Traffic.

H. B. No. 534, referred to Committee on Educational Affairs.

Simple Resolution No. 52.

By Senator Wirtz, et al.:

Whereas, upon motion duly made and adopted Thursday, February 26, 1925 (page 728 of Senate Journal), House Concurrent Resolution No. 19 was set as special order at 8 p. m., Thursday, March 5, 1925, to continue every night at 8 p. m. (not to include day sessions), the Senate will sit as a committee of the whole for the purpose of hearing additional evidence in reference to penitentiary affairs; and

Whereas, the proceedings and evidence adduced at such hearing should be preserved and rules for such hearings be fixed, and competent stenographers employed; therefore,

Be it Resolved by the Senate, That the President of the Senate make the necessary arrangements for a competent stenographer or stenographers to report the proceedings and evidence, and after having made such arrangements appoint said stenographer or stenographers, and that all expenses be paid out of the contingent expense fund of the Senate; and

Be it further resolved that the President of the Senate appoint a special committee on rules to report to the Senate any further rules that may be necessary for the orderly conduct of the hearings.

WIRTZ,
HOLBROOK,
FAIRCHILD.

The resolution was read and adopted.

In accordance with the above resolution the Chair appointed Senators Wirtz, Fairchild and Witt as the Special Committee on Rules.

In accordance with the above resolution the Chair announced the appointment of T. H. Burger as the official stenographer for the Investigating Committee.

House Bill No. 94.

The Chair laid before the Senate, on third reading,

H. B. No. 94, A bill to be entitled "An Act to amend Article 1610, Title 18, of the Penal Code of the State of Texas, relating to the modes of punishment of convicts, fixing punishment for violation thereof, and declaring an emergency."

H. B. No. 94 was read third time and passed finally.

House Bill No. 163.

The Chair laid before the Senate, on third reading,

H. B. No. 163, A bill to be entitled "An Act creating the office of Public Weigher in all counties in Texas having a population of not less than 25,000, and not more than 25,700, according to the census of the United States taken in 1920, and prescribing the qualifications for such office and the powers and duties thereof."

H. B. No. 163 was read third time and passed finally, by the following vote:

Yeas—26.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Nays—1.

Lewis.

Absent.

Russek.

Parr.

Absent—Excused.

Bailey.

Moore of Hunt.

House Bill No. 252.

The Chair laid before the Senate, on third reading,

H. B. No. 252, A bill to be entitled "An Act creating and establishing Rotan Independent School District in Fisher County, Texas; defining and describing it by metes and bounds; providing for the government thereof; providing for it to assume the outstanding school contracts and indebtedness applicable to the territory so included; vesting in it the title to all school property situated in the territory so included; providing for the government thereof as under the General Laws applicable to towns and villages incorporated for school purposes only; providing for extension of boundaries thereof, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Moore of Hunt.
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House Bill No. 309.

The Chair laid before the Senate, on third reading,

H. B. No. 309, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of McLennan County, Texas; providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time, and Senator Witt offered the following amendment, which was unanimously adopted:

1. Amend H. B. No. 309, Section 1, by striking out said section and substituting in lieu thereof the following section:

"Section 1. That the salary of the superintendent of public instruction of

McLennan County, Texas, shall, from and after the passage of this Act, be not less than the sum of thirty-six hundred dollars per annum and not more than the sum of forty-eight hundred dollars per annum."

2. Amend Section 2, by adding after the word "Texas" and before the words "Forty-eight" in line 5 of said section, the following words: "Not less than thirty-six hundred dollars nor more than."

3. Strike out the word "three" in line 6 of Section 2, and substitute therefor the word "six."

4. Strike out the word "three" in next to the last line of Section 2, and substitute therefor the word "six."

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Nays—1.

Strong.

Present—Not Voting.

Smith.

Absent.

Bowers.	Parr.
Hardin of Kaufman	

Absent—Excused.

Bailey.	Moore of Hunt.
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President Pro Tem Wirtz in the Chair.

House Bill No. 277.

The Chair laid before the Senate, on third reading,

H. B. No. 277, A bill to be entitled "An Act for the sale of oil and gas leases on University land and to provide for the extension of the time for the expiration of oil and gas permits heretofore issued on University land and the issuance of leases thereon without the payment of any further sum except royalty, and declaring an emergency."

The bill was read third time, and Senator Pollard offered the following amendment:

Amend H. B. No. 277, in Senate Journal substitute of March 4, page 922, by inserting before "ten cents per acre" by adding the words "not less than."

After discussion, Senator Pollard moved that the bill be laid on the table, subject to call.

Senator Parnell moved to table the motion to lay on the table, which motion to table was adopted.

Action recurred on the amendment and the amendment was adopted by unanimous consent.

Senator Pollard offered the following amendment:

Amend H. B. No. 277, page 923, Senate Journal of March 4, by inserting before words "ten cents per acre" the words "not less than"—and on page 924.

Senator Stuart moved that the further consideration of the bill be postponed and the bill made a special order for 2 o'clock today.

Pending.

House Bill No. 315.

The Chair laid before the Senate, on third reading,

H. B. No. 315, A bill to be entitled "An Act creating Red Ranger Common School District No. 116, in Bell County, Texas, fixing its boundaries by metes and bounds, dissolving and abolishing the old Cyclone School District No. 9, and out of a part of same by this special Act creating and establishing the said Red Ranger Common School District No. 116, situated in said county of Bell; providing for the payment of any indebtedness and bonds, and declaring an emergency."

(Lieutenant Governor Miller in the Chair.)

H. B. No. 315 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Moore of Cooke.
Bledsoe.	Murphy.
Bowers.	Parnell.
Davis.	Parr.
Fairchild.	Pollard.
Floyd.	Price.
Hardin of Erath.	Real.
Hardin of Kaufman	Reid.
Holbrook.	Russek.
Lewis.	Smith.
Miller.	Strong.

Stuart.	Witt.
Triplett.	Wood.
Ward.	Woodward.
Wirtz.	

Absent—Excused.

Bailey. Moore of Hunt.

House Bill No. 319.

The Chair laid before the Senate, on third reading,

H. B. No. 319, A bill to be entitled "An Act enlarging and re-establishing the limits and defining the territory embraced within the Theny Independent School District in Comanche County, Texas, divesting control of the free schools in said district from the existing district and investing the same in the district herein created, etc."

H. B. No. 319 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey. Moore of Hunt.

House Bill No. 371.

The Chair laid before the Senate, on third reading,

H. B. No. 371, A bill to be entitled "An Act creating and incorporating the Eliasville Independent County Line School District lying in the counties of Young and Stephens in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Eliasville County Line District be invalidated, and declaring an emergency."

H. B. No. 371 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey. Moore of Hunt.

House Bill No. 390.

The Chair laid before the Senate, on third reading,

H. B. No. 390, A bill to be entitled "An Act to create the Anson Independent School District in Jones County, Texas, including therein the present Anson Independent School District, incorporated under the General Laws; providing a board of trustees therefor, vesting said Anson Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Anson Independent School District, as the subsisting obligations and acts of the Anson Independent School District as created by this Act; providing for an election to determine as to the assumption of outstanding bonded indebtedness of territory hereby incorporated, as herein set out, and declaring an emergency."

H. B. No. 390 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Lewis.
Bledsoe.	Miller.
Bowers.	Moore of Hunt.
Davis.	Murphy.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Pollard.
Hardin of Kaufman	Price.
Holbrook.	Real.

Reid.
Russek.
Smith.
Strong.
Stuart.
Triplett.

Ward.
Wirtz.
Witt.
Wood.
Woodward.

Absent.

Moore of Cooke.

Absent—Excused.

Bailey.

House Bill No. 404.

The Chair laid before the Senate, on third reading,

H. B. No. 404, A bill to be entitled "An Act to create the Oklahoma Independent School District in Parmer County, Texas, out of territory now comprising Common School District No. 10 of Parmer County, as heretofore created by the county board of trustees therefor; vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the said Oklahoma School District shall assume and discharge any and all indebtedness constituting valid and binding obligations of said Common School District No. 10 of Parmer County; providing that title to any and all property of said common school district shall be vested in the trustees of independent school district hereby created; validating and continuing in force any and all taxes heretofore voted and now in force in such common school district; providing that the board of trustees of the existing school in said district shall continue to act as such until their successors are elected and qualified in accordance with the General Laws of Texas, and declaring an emergency."

H. B. No. 404 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Miller.
Bledsoe.	Moore of Cooke.
Bowers.	Murphy.
Davis.	Parnell.
Fairchild.	Parr.
Floyd.	Pollard.
Hardin of Erath.	Price.
Hardin of Kaufman	Real.
Holbrook.	Reid.
Lewis.	Russek.

Smith.	Wirtz.
Strong.	Witt.
Stuart.	Wood.
Triplett.	Woodward.
Ward.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 414.

The Chair laid before the Senate, on third reading,

H. B. No. 414, A bill to be entitled "An Act creating the Bessmay Independent School District in Jasper County, Texas, out of part of the territory included in the Buna Independent School District; defining its boundaries and redefining the boundaries of Buna Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 414 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 417.

The Chair laid before the Senate, on third reading,

H. B. No. 417, A bill to be entitled "An Act to amend Section 1, Chapter 70, of the Acts of the Thirty-sixth Legislature, Third Called Session, entitled 'An Act creating an independent school district, to be known as the Dumas Independent School District,' etc., by redefining and adding to the Dumas Independent School District all the territory now embraced in Common School District No. 1, of Moore County, Texas, and adding thereto Section 1a; divesting the said Common School District No. 1, of the control of the public free schools in said District No. 1, and investing the said Dumas Independent School District with full control of the public free schools within the limits of said independent school district, as herein defined, and declaring an emergency."

H. B. No. 417 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 430.

The Chair laid before the Senate, on third reading,

H. B. No. 430, A bill to be entitled "An Act to amend Section 1 of Chapter 47, of the Local and Special Laws of the Thirtieth Legislature, Regular Session, as amended in Chapter 39, Local and Special Laws of the Thirty-sixth Legislature, Regular Session, and in Chapter 66, Special Laws of the Thirty-seventh Legisla-

ture, Regular Session, being entitled 'An Act creating the Eldorado Independent School District in Schleicher County, Texas,' so as to redefine the boundaries of the said district; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 430 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 450.

The Chair laid before the Senate, on third reading,

H. B. No. 450, A bill to be entitled "An Act amending Chapter 9 of the Local and Special Laws of the Thirty-third Legislature, entitled 'An Act creating the Bishop Independent School District in Nueces County, Texas, etc.'"

H. B. No. 450 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 465.

The Chair laid before the Senate, on third reading,

H. B. No. 465, A bill to be entitled "An Act creating and incorporating the Hunter Independent School District in Terry County, Texas, out of territory now composing the Hunter Common School District No. 12 in said county as heretofore created; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor; providing for a board of equalization for said district; providing that all outstanding obligations and indebtedness of said Common School District No. 12 in Terry County shall be assumed by and become binding obligations of said Hunter Independent School District; providing for the validation of all such obligations and indebtedness; continuing in force the certain maintenance tax heretofore voted in said Common School District No. 1; providing that title to all public free school property within said territory shall be vested in said Hunter Independent School District; providing for the election and terms of office of trustees of said Hunter Independent School District, and declaring an emergency."

H. B. No. 465 was read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Moore of Hunt.

Absent—Excused.

Bailey.

House Bill No. 67.

The Chair laid before the Senate, on second reading,

H. B. No. 67, A bill to be entitled "An Act to prohibit any person masked or disguised from going into any public place in a manner calculated to disturb the inhabitants thereof or from disturbing any inhabitants thereof; or from going into or near or demanding entrance or admission into any private house or church or from disturbing any inhabitant thereof; or from, in either a public or private place, permitting any assault upon any person; defining punishment for violation of this Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The committee substitute bill was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 67 put on its third reading and final passage, by the following vote:

Yeas—23.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Lewis.	Stuart.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	

Nays—1.

Triplett.

Absent.

Bowers.	Moore of Hunt.
Hardin of Erath.	Real.
Hardin of Kaufman	Woodward.

Absent—Excused.

Bailey.

H. B. No. 67 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—22.

Berkeley.	Pollard.
Bledsoe.	Price.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Lewis.	Stuart.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Parnell.	Witt.
Parr.	Wood.

Nays—1.

Triplett.

Absent.

Bowers.	Murphy.
Hardin of Erath.	Real.
Hardin of Kaufman	Woodward.
Moore of Hunt.	

Absent—Excused.

Bailey.

House Bill No. 85.

The Chair laid before the Senate, on second reading,

H. B. No. 85, A bill to be entitled "An Act providing for the appointment of assistant district attorneys and a special investigator in any judicial district consisting of more than one county, in any county in such district having a population in excess of 70,000, and providing for their salaries and the manner of their payment, and declaring an emergency."

The bill was read second time and passed to a third reading.

On motion of Senator Parnell, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 85 put on its third reading and final passage, by the following vote:

Yeas—24.

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Lewis.	Triplett.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.

Absent.

Hardin of Erath. Real.
 Hardin of Kaufman Stuart.
 Moore of Hunt. Woodward.

Absent—Excused.

Bailey.

H. B. No. 85 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—22.

Berkeley.	Price.
Bledsoe.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Kaufman	Smith.
Lewis.	Strong.
Moore of Cooke.	Triplett.
Murphy.	Ward.
Parnell.	Wirtz.
Parr.	Witt.
Pollard.	Wood.

Absent.

Bowers.	Miller.
Davis.	Moore of Hunt.
Hardin of Erath.	Stuart.
Holbrook.	Woodward.

Absent—Excused.

Bailey.

House Bill No. 8.

The Chair laid before the Senate, on third reading,

H. B. No. 8, A bill to be entitled "An Act amending Articles 3, 4, 7, 10, 13, 16, 36, 38, 41, 48, 55, 60, 61, 64 and 65, Chapter 73, of the General Laws of the First Called Session of the Thirty-sixth Legislature; and Articles 39 and 53, as amended by Chapter 139, General Laws of the Regular Session of the Thirty-eighth Legislature, changing certain penalties therein, making necessary changes and regulations repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and Senator Murphy offered the following amendment:

Amend H. B. No. 8, Page 5, Line 39, by adding after the word "waters" the following: "of Lake Bryan, Oyster Bay, Bastrop Bay, Chocolate Bay (Galveston County), Halls Lake, Karankawa Bayou, Green's Bayou, Jones Lake, Swan Lake (Galveston County), Moses Lake, Lake Surprise, Clear Lake, Robinson Lake, Cotton Lake, Whites

Lake, Oso Creek, Shamrock Cove, Nueces Bay, Ingleside Cove, Red Fish Cove, Shoal Bay, Mud Flats, Shallow Bay, Corpus Christi Bayou, Copano Bay, Mission Bay (Refugio County), Puerto Bay, St. Charles Bay, Hynes Bay, Mission Bay (Calhoun County), Mustang Bay, Shoal Water Bay, Powderhorn Lake, Chocolate Bay (Calhoun County), Cox Bay, Kellers Bay, Carankaway Bay. For the proper locating and defining the mouth of herein mentioned waters, it shall be the duty of the Game, Fish and Oyster Commissioner to erect suitable stakes, monuments or markers at points determined by him as being the outermost boundaries of such waters, such stakes to bear the words "Warning—Closed Waters."

"And it shall be unlawful for any person at any time to place, to set, or drag, any seine or net, or use any other device or method for taking fish other than the ordinary pole and line or castnet, or minnow seine of not more than twenty feet in length for catching bait, within the waters."

Senator Parr moved that the bill and amendment be laid on the table subject to call.

The motion was adopted.

House Bill No. 142.

The Chair laid before the Senate, on second reading,

H. B. No. 142, A bill to be entitled "An Act amending Section 9, of Chapter 40, General Laws passed at the First, Second and Third Called Session of the Thirty-eighth Legislature of the State of Texas, relating to agricultural credit corporations; regulating the rate of interest to be charged by corporations organized under the provisions of said chapter."

The bill was read second time and passed to a third reading.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 142 put on its third reading and final passage, by the following vote:

Yeas—24.

Berkeley.	Lewis.
Bledsoe.	Murphy.
Davis.	Parnell.
Fairchild.	Parr.
Floyd.	Pollard.
Hardin of Kaufman	Price.
Holbrook.	Real.

Reid.
Russek.
Smith.
Strong.
Stuart.

Triplett.
Ward.
Wirtz.
Witt.
Wood.

Absent.

Bowers. Moore of Cooke.
Hardin of Erath. Woodward.
Miller.

Absent—Excused.

Bailey. Moore of Hunt.

H. B. No. 142 was laid before the Senate, read third time and passed finally.

House Bill No. 153.

The Chair laid before the Senate, on second reading,

H. B. No. 153, A bill to be entitled "An Act to exempt the County of Culberson from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes, 1911, relating to the inspection of hides and animals; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time and laid on the table subject to call.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 417, A bill to be entitled "An Act to aid in protection of the property and lives of the citizens of Cameron and Willacy Counties, from further disastrous and calamitous overflows and conserving and increasing the State revenues derived from said counties by granting and donating to Cameron County, for a term of twenty-five years, or so much thereof as may be necessary, a portion of the State ad valorem taxes levied and collected on property subject to taxation in said county, to be used in part payment of interest and sinking fund of bonds to be issued by said county to provide for the construction of the necessary breakwaters, levees, dikes, floodways and drainways to protect Cameron and

Willacy Counties from such overflows, and providing for the administration of this Act."

Respectfully submitted,
C. L. PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 310.

Senator Wood called up S. B. No. 310 and moved that the Senate do not concur in the House amendments to S. B. No. 310 and requested the appointment of a Free Conference Committee to adjust the differences between the two Houses.

The motion was adopted.

The Chair appointed the following Senators, on part of the Senate, as the committee: Senators Wood, Moore of Cooke, Wirtz, Fairchild and Ward.

House Bill No. 281.

The Chair laid before the Senate, on second reading,

H. B. No. 281, A bill to be entitled "An Act to provide for the inspection and standardizations of junior colleges, teachers' colleges, colleges and universities of the first class; prescribing fees to be paid by teachers securing certificates based on work done in such institutions; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and Senator Lewis offered the following amendment:

Amend H. B. No. 281, by striking out the word "two" in Section 2 of said bill and insert in lieu thereof the word "one."

Recess.

On motion of Senator Wood the Senate, at 12 m., recessed until 2 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

House Bill No. 281.

Action recurred on the pending business, H. B. No. 281, the question being on the pending amendment by Senator Lewis.

The amendment was, after discussion, adopted.

Senator Fairchild offered the following amendment:

Amend H. B. No. 281 by adding Section 3a, as follows:

"All inspectors while performing their duties under the provisions of this bill shall be entitled to a free pass over the railroads of Texas."

The amendment was read and lost.

Senator Stuart offered the following amendment:

Amend H. B. No. 281 by striking out "course of study" in Section 1, page 1, of the printed bill.

The amendment was read, and Senator Bowers moved that the further consideration of the bill be postponed and lay the bill on the table, subject to call.

The motion was adopted.

House Bill No. 277.

Action here recurred on H. B. No. 277, considered at the morning session and made a special order for this hour.

There was a pending amendment by Senator Pollard, and by unanimous consent, Senator Pollard withdrew the amendment as well as the amendment by him, which had been adopted.

Senator Wirtz offered the following amendment:

Amend the amendment to H. B. No. 277, page 922 of Senate Journal, by striking out Section 2 and substitute the following:

Section 2. Sales of oil and gas leases on the lands included herein shall be made by the Commissioner of the General Land Office not less than once each month, when there is land in demand, and at 10 o'clock a. m. on the day fixed therefor. Sales of leases shall be for ten cents per acre, in advance, for the first year and twenty-five cents per acre, in advance, for the second year and fifty cents per acre, in advance, each year thereafter until production is secured in paying quantities, but not to exceed five years, and a royalty of one-eighth of the gross production of the oil, or the value thereof, produced and saved from the leased premises delivered into such pipeline as the lessee may connect his well, or wells, and one-eighth of the gross production of gas, or the value thereof, produced and sold off of the leased premises and in addition thereto such sum, if any, that one may pay therefor as provided herein.

The amendment was read, and Senator Stuart moved to table the amendment, which motion was lost.

The amendment was then adopted by the necessary two-thirds vote.

Senator Wirtz offered the following amendment, which was read and adopted, by the necessary two-thirds vote.

Amend the amendment to H. B. No. 277, page 924, of the Senate Journal, line 3 of Section 10, by striking out the word "ten," and in lieu thereof insert the word "forty."

Senator Wirtz offered the following amendments, severally, which were read and adopted, by the necessary two-third vote:

Amend the amendment to H. B. No. 277, by striking out of Section 1, lines 2 and 3, second column, Senate Journal, page 922, the words: "Land on which there are now."

Amend the amendment to H. B. No. 277, page 923 of Senate Journal, first column, line——, by striking out the word "respected" and in lieu thereof add the word "rejece."

Amend the amendment to H. B. No. 277, page 924, Senate Journal, first column by striking out of lines 47 and 48 the following "of ten cents per acre."

Amend the amendment to H. B. No. 277, page 924 of Senate Journal, second column, line 16, by striking out the word "false" and inserting in lieu thereof the word "offset."

Amend the amendment to H. B. No. 277, page 924 of Senate Journal, second column, line 51, by striking out the word "of" where it first appears in said line, and in lieu thereof insert the word "or" between the words "terms" and "peace."

Senator Pollard offered the following amendment, which was read and adopted, by the necessary two-third vote:

Amend H. B. No. 277 on page 923, Senate Journal March 4, and add to end of Section 6 after the word Governor the following "or member of the Board of Regents of the University of Texas."

Senator Pollard offered the following two amendments, which were lost:

Amend H. B. No. 277, Section 14, by inserting a semicolon instead of a period after the word rental on column one, page 925, Senate Journal of March 4, 1925, and adding the following "provided nothing in this Act shall be construed to extend any oil and gas permits heretofore issued upon lands included herein for a period of time extending longer than January 31, A. D. 1927."

Amend H. B. No. 277, provided nothing in this Act shall be construed to extend oil and gas permits for a larger period than July 31, 1927.

The bill was then finally passed, by the following vote:

Yeas—27.

Berkeley.	Price.
Bledsoe.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Parnell.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Bowers.

Absent—Excused.

Bailey.	Murphy.
Miller.	

House Bill No. 572.

The Chair laid before the Senate, on second reading,

H. B. No. 572, A bill to be entitled "An Act to amend Section 1, Chapter 108 of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Wharton County, by adding thereto Section 1a to permit the issuance of bonds by Wharton County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 572 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Hardin of Erath.
Bledsoe.	Hardin of Kaufman
Bowers.	Holbrook.
Davis.	Lewis.
Fairchild.	Miller.
Floyd.	Moore of Hunt.

Moore of Cooke.	Strong.
Parnell.	Stuart.
Parr.	Triplett.
Pollard.	Ward.
Price.	Wirtz.
Real.	Witt.
Reid.	Wood.
Russek.	Woodward.
Smith.	

Absent—Excused.

Bailey.	Murphy.
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H. B. No. 572 was laid before the Senate, read third time, and passed, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Murphy.
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House Bill No. 570.

The Chair laid before the Senate, on second reading,

H. B. No. 570, A bill to be entitled "An Act to create a more efficient road system for Jackson County, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 570 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Floyd.
Bledsoe.	Hardin of Erath.
Bowers.	Hardin of Kaufman
Davis.	Holbrook.
Fairchild.	Lewis.

Miller.	Smith.
Moore of Hunt.	Strong.
Moore of Cooke.	Stuart.
Parnell.	Triplett.
Parr.	Ward.
Pollard.	Wirtz.
Price.	Witt.
Real.	Wood.
Reid.	Woodward.
Russek.	

Absent—Excused.

Bailey.	Murphy.
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H. B. No. 570 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt..	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Murphy.
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House Bill No. 246.

The Chair laid before the Senate, on second reading,

H. B. No. 246, A bill to be entitled "An Act to amend Article 2643 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 37 of the Acts of the Regular Session of the Thirty-eighth Legislature, setting aside all interest and income from the University permanent fund and lands for the purpose of constructing permanent improvements on the campus of the University of Texas, or at its branches; declaring void any contract for the expenditure of said funds for any other purpose, by including in the funds that may be used for such construction of permanent improvements all income proceeds of all mineral leases on University lands now in the State Treasury or hereafter received from such leases; and also to amend Section 17

of Chapter 83 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 58 of the Third Called Session of the Thirty-sixth Legislature, so as to provide that all proceeds heretofore or hereafter paid and collected arising from activities affecting lands belonging to the University of Texas shall be credited to the available fund for such institution, and shall be held by the Board of Regents of such institution in a special building fund, and be expended by it only for the erection of buildings or other permanent improvements upon the University campus; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Witt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 246 put on its third reading and final passage, by the following vote:

Yeas—25.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Smith.
Fairchild.	Strong.
Floyd.	Stuart.
Hardin of Erath.	Triplett.
Hardin of Kaufman.	Ward.
Holbrook.	Wirtz.
Lewis.	Witt.
Moore of Cooke.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Miller.	Parnell.
Moore of Hunt..	Russek.

Absent—Excused.

Bailey.	Murphy.
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H. B. No. 246 was laid before the Senate, read third time, and passed finally.

Senate Bill No. 341.

The Chair laid before the Senate, on second reading,

S. B. No. 341, A bill to be entitled "An Act amending Chapter 8 of the

Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas, creating the Woodson Independent School District in Throckmorton and Stephens Counties, Texas, so as to reduce the territory included in and redefine the boundaries of said Woodson Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that the outstanding bonded indebtedness of all school districts or parts thereof included within the bounds of said district shall remain chargeable against the territory which voted the same, and providing that the district as herein created may assume such outstanding bonded indebtedness; prohibiting the district as herein established from selling any of the bonds voted by the Woodson Independent School District as created by said Chapter 8 of the Local and Special Laws of the Third Called Session of the Thirty-eighth Legislature of the State of Texas; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 341 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Moore of Cooke.
Bledsoe.	Parnell.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Real.
Hardin of Erath.	Reid.
Hardin of Kaufman.	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Miller.	Stuart.
Moore of Hunt..	Triplett.

Ward.	Wood.
Wirtz.	Woodward.
Witt.	

Absent—Excused.

Bailey.	Murphy.
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S. B. No. 341 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt..	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Murphy.
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Senate Bill No. 428.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 428, A bill to be entitled "An Act amending Articles 492 and 504 of Chapter 5, Title 14, Revised Civil Statutes of 1911, of the State of Texas, by providing that all bonds executed under Article 492, Revised Civil Statutes of 1911, shall become void and of no force and effect upon the filing and approval of a new annual bond, as provided for by said Article 491, Revised Civil Statutes of the State of Texas, and providing that the forms of bonds as provided in Article 504, Revised Civil Statutes of the State of Texas, shall be prepared by the banking board of the State of Texas, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Holbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 428 put on its third reading and final passage, by the following vote:

Yeas—23.

Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Miller.	Wood.
Moore of Hunt..	Woodward.
Moore of Cooke.	

Absent.

Floyd.	Pollard.
Parnell.	Price.
Parr.	Witt.

Absent—Excused.

Bailey.	Murphy.
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S. B. No. 428 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Parnell.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Miller.	Wood.
Moore of Hunt..	Woodward.
Moore of Cooke.	

Absent.

Parr.	Price.
Pollard.	Witt.

Absent—Excused.

Bailey.	Murphy.
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Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

The House has concurred in Senate amendments to H. B. No. 67 and to H. B. No. 414.

H. B. No. 555, A bill to be entitled "An Act to increase and fix the salary of the Superintendent of Public In-

struction of Harris County, Texas; providing for office and traveling expenses, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 556, A bill to be entitled "An Act creating the Orange Independent School District in the county of Orange, State of Texas."

S. B. No. 119, A bill to be entitled "An Act to amend Article 3681, Chapter 3, Title 53 of the Revised Civil Statutes of Texas, 1911, relating to the taking of depositions, and declaring an emergency."

With amendments.

S. B. No. 147, A bill to be entitled "An Act for the protection of those who have filed exemptions or homestead donation claims on school Section 2, S. F. Ry. Co., certificate sixteen sixty eight in Jack County, Texas, by authorizing the original pre-emptors of their assignees in good faith and for value to purchase, and the Commissioner of the General Land Office to sell them such portions as they own in good faith and for value under said pre-emption or homestead claim, at fifty cents (\$.50) per acre, after they have filed field notes in the General Land Office and have set such requirements as the law imposes on the owners of homestead or pre-emption claims, and purchasers of school lands desiring patents therefor, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY.

Chief Clerk, House of Representatives.

House Bill No. 501.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

H. B. No. 501, A bill to be entitled "An Act to establish a more efficient system of public roads for Orange County, and to empower the commissioners' court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; and to provide for the appointment of a county engineer; to allow the issuance of bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

The Senate rule requiring committee reports to lay over for one day was suspended.

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Fairchild, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 501 put on its third reading and final passage, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt..	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Murphy.
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H. B. No. 501 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt..	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Bailey.	Murphy.
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Senate Bill No. 370.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 370, A bill to be entitled "An Act to create a commission in aid of the Court of Criminal Appeals of Texas, regulating their powers and duties, appointment, duration of service, compensation, and providing

for a stenographer, and making an appropriation therefor, and declaring an emergency."

The bill was read second time, and Senator Woodward offered the following amendment; which was read and adopted:

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 370 put on its third reading and final passage, by the following vote:

Yeas—25.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Strong.
Floyd.	Stuart.
Hardin of Erath.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Miller.	Witt.
Moore of Hunt..	Wood.
Moore of Cooke.	Woodward.
Parnell.	

Absent.

Hardin of Kaufman.	Pollard.
Parr.	Smith.

Absent—Excused.

Bailey.	Murphy.
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S. B. No. 370 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—25.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Strong.
Floyd.	Stuart.
Hardin of Erath.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt..	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Pollard.	

Absent.

Hardin of Kaufman.	Parr.
Holbrook.	Smith.

Absent—Excused.

Bailey.	Murphy.
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Senate Bill No. 223.

The Chair laid before the Senate, on second reading,

S. B. No. 223, A bill to be entitled "An Act repealing Chapter 14 of the Laws of the State of Texas passed by the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

There was pending a substitute for the bill offered by Senator Moore of Cooke. (See proceedings of Feb. 23.)

(President Pro Tem Wirtz in the Chair.)

After discussion, Senator Woodward offered the following as a substitute for the pending substitute and the bill:

A BILL

To Be Entitled

An Act to amend Sections 6 and 14 of Chapter 14 of the General Laws of the Thirty-sixth Legislature of Texas, enacted at its Third Called Session and approved June 12, 1920, relating to gas utilities; so as to authorize and require the Railroad Commission to conduct its hearings on appeal in the city affected and changing venue in appeals from the orders of the Railroad Commission from "any court of competent jurisdiction in Travis County," to any court of competent jurisdiction in the county in which the controversy arose; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 6 of Chapter 14 of the General Laws of Texas passed by the Thirty-sixth Legislature of Texas at its Third Called Session, and being an Act approved on June 12, 1920, be and the same is hereby amended so as to hereafter read as follows:

"Section 6. Nothing in this Act shall restrict the rights of cities, towns and municipalities to control the use of their public streets and alleys; and nothing in this Act shall be construed as taking away from the cities, towns or municipalities of this State any of their existing powers to regulate the rates, service, rules, regulations and practices of public utilities operating in such cities, towns or municipalities. When a city government has ordered any existing rate reduced, the gas

utility affected by such order may appeal to the commission by filing with the commission, on such terms and conditions as the commission may direct, a petition and bond to review the decision, regulation, restriction, ordinance or order of the city, town or municipality. Upon such appeal being taken the commission shall set a hearing and may make such order or decision in regard to the matter involved in the determination, decision, ordinance or order, of the city, town or municipality, as the commission may deem just and reasonable. Whenever a public utility so appeals from the decision, restriction, ordinance or order of the city, or town or municipality, to the commission, the commission shall hear such appeal de novo and shall treat the appeal or complaint as though it were an original complaint. When ever any local distributing company or concern whose rates have been fixed or may hereafter be fixed by any municipal government desires a change of any of its rates, rentals or charges, it shall make its application to the municipal government of the city, town or municipality in which such utility is located and such municipal government shall determine said application, within sixty days after said application is presented to it, unless the determination thereof may be longer deferred by agreement between the municipality and the gas utility affected. If the municipal government should reject such application or fail to refuse to act on it within sixty days, then the utility may appeal to the commission as herein provided. But said commission shall determine the matters involved in any such appeal within sixty days after the filing by such utility of such appeal with said commission or such further time as such utility shall in writing agree to, but the rates fixed by such municipal government shall remain in full force and effect until ordered changed by the commission. The Railroad Commission may, and on application of the parties affected shall conduct the hearing on such appeal in such city."

Sec. 2. That Section 14 of Chapter 14 of the General Laws of Texas passed by the Thirty-sixth Legislature of Texas at its Third Called Session, and being an Act approved on June 12, 1920, be and the same is hereby amended so as to hereafter read as follows:

"Section 14. If any gas utility or other party at interest be dissatisfied with the decision of any rate, classification, rule, charge, order, act or regulation adopted by the commission, such dissatisfied utility or party may file a petition setting forth the particular cause of objection to such decision, act, rate, rule, charge, classification or order, or to either of them, in a court of competent jurisdiction in the county in which the controversy arose, against said commission as defendant. Said action shall have precedence over all causes on the docket of a different nature and shall be tried and determined as other civil causes in said court. Either party to said action may appeal to the appellate court having jurisdiction of said cause; and said appeal shall be at once returnable to said appellate court, at either of its terms; and said action so appealed shall have precedence in said appellate court of all causes of a different character therein pending; provided, that if the court be in session at the time such right of action accrues, the suit may be filed during such term and stand ready for trial after ten days' notice. In all trials under the foregoing article, the burden of proof shall rest upon the plaintiff, who must show by clear and satisfactory evidence that the rates, regulations, orders, classifications, acts or charges complained of are unreasonable and unjust to it or them."

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. Emergency clause.

The Woodward substitute was read in full, and is pending.

After discussion Senator Woodward moved that the bill be postponed until next Tuesday at 2 o'clock p. m.

The motion was lost by the following vote:

Yeas—12.

Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Stuart.
Lewis.	Witt.
Miller.	Wood.
Parr.	Woodward.

Nays—14.

Davis.	Floyd.
Fairchild.	Hardin of Erath.

Hardin of Kaufman.	Pollard.
Holbrook.	Price.
Moore of Hunt..	Smith.
Moore of Cooke.	Strong.
Parnell.	Ward.

Absent.

Russek.	Wirtz.
Triplett.	

Absent—Excused.

Bailey.	Murphy.
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Senator Moore of Cooke moved to table the substitute by Senator Woodward, which motion was lost by the following vote:

Yeas—12.

Berkeley.	Moore of Hunt..
Bledsoe.	Moore of Cooke.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Pollard.
Hardin of Kaufman.	Price.

Nays—15.

Bowers.	Strong.
Davis.	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Miller.	Witt.
Real.	Wood.
Reid.	Woodward.
Smith.	

Absent.

Russek.	Triplett.
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Absent—Excused.

Bailey.	Murphy.
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After discussion and on motion of Senator Witt the bill was made a special order for Monday at 2 o'clock.

Simple Resolution No. 53.

By Senator Bowers:

Whereas, the Boy Scouts of Austin are at the door of the Senate and desire to present there respects to the Senate, therefore

Be it resolved, That they be invited to address the Senate.

The resolution was read and adopted and the visitors appeared and were presented to the Senate by Senator Bowers.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally, first time, and referred to appropriate committees:

H. B. No. 556, referred to Committee on Educational Affairs.

H. B. No. 555, referred to Committee on State Affairs.

Bills and Resolutions Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 406.
H. B. No. 449.
H. B. No. 402.
H. B. No. 301.
H. B. No. 161.
H. B. No. 445.
H. B. No. 126.
H. B. No. 403.
H. B. No. 428.
H. B. No. 477.
H. B. No. 535.
H. B. No. 430.
S. B. No. 417.
S. B. No. 51.
S. B. No. 209.
S. B. No. 266.
S. B. No. 250.
S. B. No. 352.
S. B. No. 147.
H. C. R. No. 26.
S. J. R. No. 20.
S. C. R. No. 32.
S. C. R. No. 31.

Recess.

On motion of Senator Wood the Senate, at 5:45 o'clock p. m., recessed until 8 o'clock tonight.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

The Chair asked for a report of the special committee on rules of procedure, and Senator Wirtz made an oral report of the committee advising that the committee agreed that the general statutes provided the rule of procedure and they had adopted that method. The report was adopted.

In Committee of the Whole.

The Chair announced that, in accordance with a former motion adopted, the Senate had met for the purpose of sitting as a Committee of the Whole for the purpose of hearing testimony in the penitentiary investigation, and left the Chair, calling to the Chair President Pro Tem Wirtz, who presided.

In the Senate.

The Senate convened as a Senate at 10:15 o'clock, with Lieutenant Governor Miller in the Chair.

Senator Wirtz, Chairman of the Committee of the Whole, reported to the Senate that the committee had recessed until tomorrow night at 7:30 o'clock to continue the hearing.

Adjournment.

On motion of Senator Wood the Senate adjourned until tomorrow morning at 9 o'clock.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 462, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all ablebodied male citizens of Wallar County, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax and further providing for a penalty for failure or refusal to pay such tax, repealing all laws in conflict therewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 430, A bill to be entitled "An Act to amend Section 19, of Chapter 5, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto County, Texas, by adding thereto Section 19a to permit the issuance of bonds by said county for the purpose of funding or refunding indebtedness incurred for road and

bridge purposes prior to March 1, 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 403, A bill to be entitled "An Act to amend Section 2, Chapter 81 of the Local and Special Laws enacted by the Thirty-fourth Legislature at its Regular Session in 1915, same being a special road law for Young County, by adding thereto Section 2a to permit the issuance of bonds by funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 498, A bill to be entitled "An Act repealing Chapter 17, Local and Special Laws, enacted by the First Called Session of the Thirty-third Legislature and amended by the Regular Session of the Thirty-sixth Legislature, entitled, San Patricio County Road System; creating and providing that the General Laws of the State of Texas as relating to working public roads, appointing overseers, the issuance of bonds for the construction of public roads, shall be applicable to San Patricio County, validating all defined road districts defined, created and established under and by virtue of said San Patricio County Special Road Law, as well as the road bonds issued thereunder, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 220, A bill to be entitled "An Act amending Section 39 (thirty-nine), under Section 1 of House Bill No. 136 (one hundred and thirty-six), being Chapter 169 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, relative to public roads and highways, so as to except and exempt from the said Chapter, and the county of Bowie, Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 433, A bill to be entitled "An Act validating Common School District No. 5 of Gaines County, Texas, and validating an issue of bonds heretofore voted by said district; defining the powers of the county board of school trustees of Gaines County in respect to said district, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 534, A bill to be entitled "An Act creating the Harral County Line Independent School District in Lubbock County, and Hale County, Texas, out of territory now comprising Harral County Line Common

School District No. 30, in Lubbock County and Hale County, Texas, and established and defined by order of the county boards of trustees of Lubbock and Hale Counties, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 432, A bill to be entitled "An Act creating and establishing West University Place Independent School District, in Harris County, Texas, defining and describing it by metes and bounds, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 470, A bill to be entitled "An Act to create the Reagan County Independent School District in Reagan County, Texas, providing a board of trustees therefor; vesting said independent school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts organized under the General Laws of Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 493, A bill to be entitled "An Act to create the Tell Independent School District in Childress,

Hall and Cottle Counties, Texas, including therein the present Common County Line School District No. 9 of Hall, Childress and Cottle Counties, and the Tell Independent District of Hall and Childress Counties; providing a board of trustees therefor, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 436, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County special road law, by adding thereto Section 2a to permit the issuance of bonds by San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 110, A bill to be entitled "An Act providing that counties that borrowed money from the State of Texas under the provisions of Section, Chapter 4, Acts of the Thirty-fifth Legislature passed at the Fourth Called Session, may by payment of accrued interest be given an option of five years additional time in which to return the principal, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do

pass, and it having once been printed on previous report, we recommend that it be not again printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We your Committee on State Affairs, to whom was referred

H. B. No. 282, A bill to be entitled "An Act creating the offices of county weighers in all counties in Texas having a population of not less than 55,700 and not more than 55,800, according to the United States Census for 1920; and prescribing the qualifications for such office and the power and duties thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but that it be not printed.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 320, A bill to be entitled "An Act to amend Article 6901a of Chapter 1, Title 1119 of the Revised Statutes of Texas of 1911, as enacted by Chapter 29 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Chapter 98 of the General Laws, Regular Session of the Thirty-sixth Legislature and as amended by Chapter 184 of the General Laws, Regular Session of the Thirty-eighth Legislature, being an Act to change the designated year upon which is based the assessed valuation of taxable properties affected by the Act to be amended, and relating to the compensation of county commissioners, repealing all laws laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 501, A bill to be entitled "An Act to establish a more efficient system of public roads for Orange County, and to empower the commissioners' court thereof to provide rules and regulations therefor; to provide for the condemnation of private property for road purposes; and to provide for the appointment of a county engineer; to allow the issuance of bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 4, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 427, A bill to be entitled "An Act to empower and direct the Governor of the State of Texas, with the consent of the City of Austin, to cancel the lease heretofore made by the State of Texas to the City of Austin, of certain land lying between the Colorado River and Outlots 1 and 11, in Division "Z," in the City of Austin, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed in bill form, but printed in the Journal.

REAL, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 106 carefully examined and compared, and find same to be correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 316 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 381 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 405 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 379 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 402 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 372 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 400 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 409 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 384 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 275 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 370 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 341 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-grossed Bills, have had S. B. No. 428 carefully examined and compared, and find same to be correctly en-grossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 418 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 352 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 417 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. C. R. No. 32 carefully examined and compared, and find same correctly enrolled, and have this day at 3:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 209 carefully examined and compared, and find same correctly enrolled, and have this day at 3:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 51 carefully examined and compared, and find same correctly enrolled, and have this day at 3:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 250 carefully examined and compared, and find same correctly enrolled, and have this day at 3:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. B. No. 266 carefully examined and compared, and find same correctly enrolled, and have this day at 3:40 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. C. R. No. 31 carefully examined and compared, and find same correctly enrolled, and have this day at 4:30 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 5, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-rolled Bills, have had S. J. R. No. 20 carefully examined and compared,

and find same correctly enrolled, and have this day at 10:50 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 147 carefully examined and compared, and find same correctly enrolled, and have this day at 5:20 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Bills Ordered Printed in the Journal.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 373.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed in bill form.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 21,

Have had the same under consideration, and am I instructed to report the same back to the Senate with the recommendation that it do pass.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, Feb. 27, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 100,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendments, and that the original bill and the committee amendments.

DAVIS, Chairman.

Committee Room,

Austin, Texas, March 4, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Land and Land Office, to whom was referred

S. B. No. 427,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

REAL, Chairman.

FORTIETH DAY.

Senate Chamber,

Austin, Texas,

Friday, March 6, 1925.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Hardin of Kaufman.	Smith.
Holbrook.	Strong.
Lewis.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Pollard.	

Absent.

Fairchild.	Hardin of Erath.
Floyd.	

Absent—Excused.

Bailey.	Woodward.
Murphy.	

Prayer by Dr. Owers of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Excused.

Senator Murphy and Senator Woodward were excused for today and tomorrow on account of important business on motion of Senator Wirtz.